

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

LAKESHIA AARON,)
)
 Plaintiff,) CIVIL ACTION NO.
) 2:23cv374-MHT
 v.) (WO)
)
 TERESA L. FERRELL a/k/a)
 Teresa L. Briggs,)
)
 Defendant.)

ORDER

Because the defendant has appeared and defended this case by, *inter alia*, filing a motion to dismiss, participating in the Rule 26(f) planning meeting, and filing an answer, albeit out of time; because the defendant's failure to file an answer was clearly an oversight and the defendant filed an answer (albeit without an accompanying motion for leave to do so) the same day the issue was raised; and because setting aside the default will cause little or no prejudice to the plaintiff, it is ORDERED that:

(1) The motion for default judgment (Doc. 34) is denied.

(2) The motion to vacate (Doc. 35) the clerk's entry of default (Doc. 33) is granted.

(3) The motion for leave to file the previously filed answer out of time (Doc. 35) is granted.

DONE, this the 25th day of April, 2024.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE